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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,933	08/15/2005	Masayoshi Kawamoto	IKUO0112PUSA	6888
22045	7590	12/22/2009	EXAMINER	
BROOKS KUSHMAN P.C. 1000 TOWN CENTER TWENTY-SECOND FLOOR SOUTHFIELD, MI 48075			ABYANEH, ALI S	
			ART UNIT	PAPER NUMBER
			2437	
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			12/22/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/517,933	<b>Applicant(s)</b> KAWAMOTO ET AL.	
	<b>Examiner</b> ALI S. ABYANEH	<b>Art Unit</b> 2437	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 21-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. In view of the Appeal Brief filed on 09-16-2009, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

**A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:**

2. Claims 21-36 are presented for examination.

**Claim Rejections - 35 USC § 103**

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 21-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laing et al. (US Patent No. 5,534,857) in view of Kusakabe et al. (US Publication No. 2001/0029579).

#### **Regarding claim 21, 25, 29 and 33**

Laing teaches a card issuing system for issuing an integrated chip ("IC") card, the card issuing system comprising: a card issuing center having a center communication means for transmitting card writing data, the card writing data including at least one of a card number and personal information (column 1, lines 62-65 and column 3, lines 22-27); and a base having a card communication mediate means for receiving the card writing data from the center communication means via a network, a card writer for receiving an IC card, and a cipher decoding means in communication with the card communication mediate means and the card writer, the cipher decoding means having an access key (column 3, lines 29-59); and the cipher decoding means being further operable for enabling the card communication mediate means to receive the card writing data from the center communication means and transmit the received card writing data

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to the card writer for the card writer to write the card writing data to the IC card such that the card writing data is transmitted from the card issuing center to the IC card without being stored in the base thereby securing security of the at least one of the card number and the personal information of the card writing data (column 6, line 45-column 7, line 14).

Laing does not explicitly teach wherein while the card writer receives an IC card having an access key, the cipher decoding means being operable for **determining whether the access key of the IC card and the access key of the cipher decoding means correspond to one another and if the access keys correspond to one another , the cipher decoding means being further operable for enabling the card communication mediate means to receive the card writing data from the center communication mean and transmit the received card writing data to the card writer for card writer to write the card writing data to the IC card**. However, in an analogous art, Kusakabe teaches determining whether the access key of the IC card and the access key of the cipher decoding means correspond to one another and if the access keys correspond to one another , the cipher decoding means being further operable for enabling the card communication mediate means to receive the card writing data from the center communication mean and transmit the received card writing data to the card writer for card writer to write the card writing data to the IC card (paragraph [0053]-[0055]).

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Laing to include determining whether the access key of the IC card and the access key of the cipher decoding means correspond to one another and if the access keys correspond to one another , the cipher decoding means being further operable for enabling the card communication mediate means to receive the card writing data from the center communication mean and transmit the received card writing data to the card writer for card writer to write the card writing data to the IC card.

This would have been obvious because person having ordinary skill in the art at the time the invention was made would have been motivated to do so in order to provide an information processing system, a operable electronic device, and an access apparatus for the portable electronic device, as well as a method of using a memory space, with which an IC card or the like can be used for a plurality of business organizations in common (paragraph [0010]).

**Regarding claim 22, 26, 30 and 34**

Laing furthermore teaches wherein: the card issuing center further includes a log management database for storing a communication result indicative of the card writing data having been transmitted from the card issuing center to the IC card (column 3, line 65-column 4, line 5).

**Regarding claim 23, 27, 31 and 35**

Laing furthermore teaches card issuing the card issuing center further includes a control terminal authentication means for determining as a function of authentication information uniquely associated with the card communication mediate means whether the card communication mediate means has authentication to receive card writing data from the center communication means, wherein the control terminal authentication means prevents the center communication means from transmitting card writing data to the card communication mediate means if the card communication mediate means lacks authentication (column 6, line 45-column 7, line 10).

**Regarding claim 24, 28, 32 and 36**

Laing furthermore teaches the base further includes a card writer authentication means for determining as a function of authentication information uniquely associated with the card writer whether the card writer has authentication to receive card writing data from the card communication mediate means, wherein the card writer authentication means prevents the card communication mediate means from transmitting card writing data to the card writer if the card writer lacks authentication(column 4, lines 60-column 5, lines 14).

**References Cited, Not Used**

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5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

1. Patent No. 4,742,215 (column 2, lines 28-32).

### Conclusion

6. Applicant's amendment of 02-27-2009 necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ali Abyaneh whose telephone number is (571) 272-7961. The examiner can normally be reached on Monday-Friday from (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the



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examiner's supervisor, Emmanuel Moise can be reached on **(571) 272-3865**. The fax phone numbers for the organization where this application or proceeding is assigned as (571) 273-8300 Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/A. S. A./

Examiner, Art Unit 2437

/Emmanuel L. Moise/

Supervisory Patent Examiner, Art Unit 2437